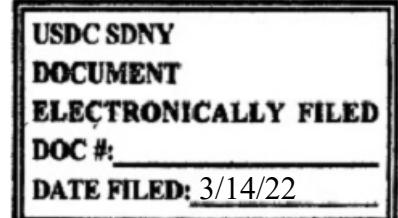


JacksonLewis

MEMO ENDORSED

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March 9, 2022

VIA ECF

Hon. Barbara C. Moses
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 740
New York, NY 10007

Re: *Rhee v. SHVMS, LLC*
Case No. 21-CV-04283 (LJL) (BCM)

Dear Judge Moses:

We represent Defendant in the above-referenced matter. We write to request an adjournment of the unconfirmed settlement conference that is in the process of being scheduled in late April 2022 in accordance with Judge Liman's March 1, 2022 Order (ECF No. 57). Plaintiff's counsel does not consent to this request.

By way of background, the parties appeared before Judge Liman on February 28, 2022 for a conference during which Judge Liman delivered his decisions on Defendant's Motion to Dismiss Plaintiff's Third Amended Complaint. During the conference, Judge Liman advised the parties that the Court would not direct a settlement conference unless all parties agreed, which they did. On March 1, 2022, Judge Liman issued an Order referring the matter to Your Honor for settlement (ECF No. 57). On March 3, 2022, the parties received an email from Your Honor's chambers requesting that the parties inform the Court whether April 26, 2022 worked for the parties for an in-person settlement conference. Counsel for Defendant advised the Court that Defendant's counsel has another mediation scheduled for that date. The parties then received another email from Your Honor's Chambers asking whether April 28, 2022 works for the parties for the in-person settlement conference.

Defendant believes a settlement conference in April 2022 may not be productive. This is particularly so given the current gap in the parties' respective valuations of potential

Hon. Barbara C. Moses
United States District Court, Southern District of New York
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exposure in this case. Defendant believes that a settlement conference with Your Honor in the future will be fruitful, if it is held after paper discovery and depositions are complete.

For these reasons, Defendant respectfully requests that the Court adjourn the settlement conference currently in the process of being scheduled in April 2022 and reschedule the settlement conference for a date after paper discovery and depositions have been completed.

We thank the Court for its consideration of this request.

Respectfully submitted,

JACKSON LEWIS P.C.

/s/ Patrick S. Richter _____

Gregory S. Slotnick
Patrick S. Richter
Julie C. Tower

ATTORNEYS FOR DEFENDANT

cc: All Attorneys of Record (via ECF)

The Court will hold a pre-settlement conference teleconference on **March 17, 2022 at 11:00 a.m.** At that time parties should dial (888) 557-8511 and enter the access code: 7746387. The Court will issue a passcode to access the call in advance of the teleconference. SO ORDERED.



Barbara Moses
United States Magistrate Judge
March 14, 2022